

May 28, 2008 - Special Town Council Meeting

At a Special Meeting of the Town Council of the Town of Middletown, RI, held at the Middletown Town Hall on Wednesday, May 28, 2008 at 5:40 P.M.

Council President Paul M. Rodrigues, Presiding

Vice Chair Shirley R. Mello, arrives at 7:10 PM

Councillor Louis P. DiPalma

Councillor M. Theresa Santos

Councillor Edward J. Silveira, Jr.

Councillor Robert J. Sylvia, Members Present

Councillor Barbara A. Barrow, Absent

May 22, 2008

Wendy J.W. Marshall, Town Clerk

Town of Middletown

Town Hall – 350 East Main Road

Middletown, Rhode Island 02842

Dear Mrs. Marshall:

Pursuant to the provisions of Article II, Section 203 of the Town Charter and in accordance with Section 42-46-2., 42-46-4 and 42-46-6. of the General Laws of Rhode Island, as amended, I hereby call a Special Meeting of the Council in order to formally discuss, consider and act upon the following items of business:

1. 5:30 PM – 6:00 PM - Review of FY 2008 – 2009 proposed Budget – Library

2. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Town of Middletown for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

3. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

4. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

5. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Recycling Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

6. EXECUTIVE SESSION – Pursuant to the provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (5), land acquisition and (1)

personnel.

Said meeting will be held on Wednesday, May 28, 2008 at 5:30 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, RI 02842.

Paul M. Rodrigues, President

Middletown Town Council

cc:

Town Council

School Department

Town Administrator

Senior Center

Town Solicitor

Police Dept.

Finance Director

Fire Dept.

Public Library

Public Works

Tax Assessor

Building Inspector

Town Planner

IT Director

Parks/Recreation

Town Engineer

Human Resource Director

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before the meeting.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

Present representing the Library were Librarian James Knowlton and from the Library Board of Trustees Stephen Arendt.

1. 5:30 PM – 6:00 PM - Review of FY 2008 – 2009 proposed Budget – Library

Stephen Arendt issued and reviewed the Library Budget to the Council entered here:

Mr. Arendt noted there is a .44% increase in the proposed FY09 budget. The following sections of the library budget were reviewed: Sunday Salaries, Library materials and programs increase, computers, building maintenance, labor negotiations and legal fees.

Mr. Arendt noted the Capital Improvement projects entered below.

Present, representing the School Department, were Superintendent Rosemarie Kraeger, Facilities Director Edward Collins, Business Manager Catherine McLeish, School Committee Chair Michael Crowley, Vice Chair Liana Fenton and members Theresa S. Spengler and William R. Coogan.

2. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Town of Middletown for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

Public Hearing was declared open.

Councillor Santos noted that on May 21st the Council passed a resolution to support funding the new facility at the Potter Shelter.

Executive Director Christie Smith and Potter League Board of Directors President Sheila Riley addressed the Council reviewing the use of the \$150,000. given to Potter League by the Town. A handout was distributed to the Council outlining Construction status, use of the facility, benefits to the Town and much more entered here:

The Potter League for expressed gratitude for Council support and anticipates the project to be completed by November 2008.

Ron Santa, 277 Turner Road, noted concern with improper discussion at a public hearing. Mr. Santa also requested clarification of the graph pertaining to the fund balance. He believes the fund balance is enough to not require a tax increase.

Town Administrator Shawn Brown responded and explained the 1.9 million dollar expense for the Fund Balance is being used for the removal of Linden School, Eastons Point Engineering and the UV Water Treatment system.

Ron Santa, 277 Turner Road, questioned the fund balance policy. Mr. Santa noted that the fund balance is big enough to reduce a tax increase.

Councillor Silveira noted his support to use the fund balance for tax

relief.

Town Administrator Brown believes the Town has a strong fund balance policy, which outlines the use of the fund balance.

Ann Coogan, 31 Wintergreen Drive, addressed the Council noting that the Middletown Education Collaborative raises funds to support activities for the children in the Middletown Schools. Ms. Coogan asked that the Council pass the budget that the administration has brought before them.

Liz Boyzan, 535 Indian Avenue, requests the Council to explore ways to keep the tax rate low.

Town Administrator Brown responded that there will be a 4.3% increase in property taxes. The residential rate would go from \$11.01 to \$11.49 per thousand and the commercial rate would go from \$14.65 to \$15.29.

School Committee Member Theresa Spengler noted that the schools are seeing the same gas and oil increases, every department has reviewed their requests and cut the budget.

Mr. Crowley addressed the Council reviewing the uniform chart of accounts handout entered here:

In January, every school system in the state is required to report in the same way. The new accounting process will enable us to compare data from other schools within the state.

Councillor DiPalma noted that he supports this project.

Mr. Henry Biastrie, 1692 Green End Avenue expressed concern of his taxes increasing and suggests the Council lay off employees to keep

the tax rate low.

Shirley Lally, 26 B Ellery Avenue expressed concern with fuel costs and suggests the Council inquire if there are grants or funding for wind turbines to generate electricity. Ms. Lally also questioned the Town's employee benefits.

Art Benner, 3 Namquid Drive, suggests using some of the undesignated fund balance to off set the taxes.

Arakel Boyzan, 535 Indian Avenue, has reviewed the school budget and questions the auditing line item.

Responding to Mr. Boyzan's inquiry, School Superintendent Rosemarie Kraeger noted that \$20,000 is budgeted annually for that line item.

There being no other persons present desiring to be heard on this matter, public hearing was declared closed.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive said FY09 General Fund budget ordinance, as amended, on its second reading.

3. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

Public Hearing was declared open.

There being no other persons present desiring to be heard on this matter, public hearing was declared closed.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive said FY09 Parks and Recreation Fund budget ordinance, as amended, on its second reading.

4. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

Public Hearing was declared open.

There being no other persons present desiring to be heard on this matter, public hearing was declared closed.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive said FY09 Sewer Fund budget ordinance, as amended, on its second reading.

5. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Recycling Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.

Public Hearing was declared open.

Ron Santa, 277 Turner Road, addressed the Council questioning the

Fund Balance and % of Budget graph distributed by Town Administrator Shawn Brown.

Responding to Mr. Santa's inquiry Town Administrator Shawn Brown reviewed the handout entered here:

Mr. Santa requests the Council to mandate all residents to join the PAY-Throw program.

Councillor Silveira proposes that an impact fee be put on all residents to off set the cost of the program.

Arakel Boyzan, 535 Indian Avenue, addressed the Council noting his impression was that after three years the Town would receive monies from the landfill for the recycling portion of the program. Mr. Boyzan is opposed to having the program mandatory.

Payson Fugit, 1 Kent Road, noted he does not support making the PAY-Throw program mandatory.

Ron Santa, 277 Turner Road, supports a participation fee however, he feels that \$50.00 is not enough.

Art Benner, 3 Namquid Drive, noted concern with enforcement of the rules for the PAY-Throw program.

There being no other persons present desiring to be heard on this matter, public hearing was declared closed.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive said FY09 Recycling Fund budget ordinance, as amended, on its second reading.

6. EXECUTIVE SESSION – Pursuant to the provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (5), RIGL, land acquisition and (1) personnel.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to recess this meeting at 8:06 P.M. and to reconvene in executive session.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to reconvene this meeting in open session at 8:47 P.M.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to move forward with the land acquisition and adopt said resolution, subject to a provision for a mutually agreed upon lighting infrastructure.

On motion of Vice Chair Mello, duly seconded, it was voted

unanimously to seal the minutes of the executive session pursuant to Section 42-46-7. RIGL.

On motion of Vice Chair Mello, duly seconded, it was voted unanimously to adjourn this meeting at 8:50 P.M.

Wendy J.W. Marshall, CMC

Council Clerk